



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Attorney Docket No. 2006_0781A

Kyoko ISHIMOTO et al. : Confirmation No. 8893

Serial No. 10/579,972 : Group Art Unit 1794

Filed May 23, 2006 : Examiner Elizabeth Gwartney

ACIDIC PROTEIN FOOD OR DRINK AND : Mail Stop: AF
MATERIAL THEREOF

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated May 26, 2009 and the Advisory Action dated October 28, 2009 finally rejecting claims 1 and 3-8.

A timely response to the final rejection has been filed.

The extension fee of \$980.00 for a third month extension of time is submitted with the attached Petition for Extension of Time.

The Appeal Fee of \$540.00 (other than Small Entity)

\$270.00 (Small Entity)

is enclosed

is to be charged to Deposit Account No. 23-0975. The original and two copies of this sheet are enclosed.

is to be charged to a credit card.

is not required since it was paid in a prior appeal.

Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which

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540.00 OP

- is enclosed.
- has been previously submitted.

Respectfully submitted,

Kyoko ISHIMOTO et al.

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